

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:13-CV-107-FL

COLEMAN BENDER,)	
)	
Plaintiff,)	
)	
v.)	ORDER DISMISSING ACTION
)	WITHOUT PREJUDICE
PENISTER, CLOSSON &)	FOR FAILURE TO OBTAIN SERVICE
ASSOCIATES, INC. and)	
DOES 1 THROUGH 10, inclusive,)	
)	
Defendants.)	

This matter comes now before the court for its review upon plaintiff's apparent failure to obtain service upon defendant within one hundred twenty (120) days after filing of the complaint on February 13, 2013. On June 18, 2013, plaintiff was noticed by the clerk of the failure to make service and instructed to comply within fourteen days of receipt of the notice. As of this date, there has been no effort, as reflected on the record, by plaintiff to comply with the clerk's notice. No good cause having been demonstrated as to why such service was not made within the period, this action is DISMISSED without prejudice.

SO ORDERED this the 8TH day of July, 2013.


LOUISE W. FLANAGAN
United States District Judge